

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NICOLA ARGENTINA,
Plaintiff,

v.

**BARBARA GILLETTE and CITY OF
PHILADELPHIA,**
Defendants.

CIVIL ACTION

NO. 17-2908

ORDER

AND NOW, this 30th day of January, 2018, upon consideration of the Defendants' Motion to Dismiss (ECF No. 13) and Plaintiff's Response to the Motion (ECF No. 16), **IT IS ORDERED** that Defendant's Motion to Dismiss is **GRANTED IN PART** with respect to all of Plaintiff's claims in his Complaint (ECF No. 1) except Count II (42 U.S.C. § 1982). **IT IS FURTHER ORDERED** that Defendant's Motion to Dismiss is **DENIED** with respect to Count II of the Complaint.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.